

# TOWN OF HERNDON

*Enriching the Quality of Life and Promoting a Sense of Community*



## FAQ

### THE STREET SOLICITATION ORDINANCE IN THE TOWN OF HERNDON

#### **What is the street solicitation ordinance?**

Approved by the Herndon Town Council in June 2010 and effective July 1, 2010, the Town of Herndon's street solicitation ordinance regulates street solicitation in the town and specifically prohibits solicitation of contributions, distribution of handbills or sale of merchandise or services by pedestrians to occupants of motor vehicles on public streets where on-street parking is not allowed.

#### **Why was this ordinance enacted in the Town of Herndon?**

During its 2010 session, the Virginia General Assembly expanded existing street solicitation legislation to cover every locality in Virginia and added sale of services to those subjects that could be regulated or prohibited. In approving the town's ordinance, the Town Council cited the degree to which street solicitation distracts drivers and interjects pedestrians into the travel way of the town's roadways and sidewalks, a safety hazard for both motorists and pedestrians. The ordinance does not prohibit street solicitation in the town, but it does regulate locations in which such solicitation is allowed.

#### **Where in the Town of Herndon does the street solicitation ordinance apply?**

The ordinance applies on any public street in the town where on-street parking is prohibited.

#### **Are sidewalks included?**

Yes. The ordinance applies on the entire street width between property lines, including sidewalks and service roads. It does not apply on private property.

#### **What is meant by "solicitation"?**

To make, offer or announce a request or plea for the sale of goods or for the provision of services.

#### **What actions constitute solicitation?**

The following acts, among others, may constitute elements of distribution, solicitation, sale or attempted sale:

- Pedestrians making a physical movement or gesture to occupants of motor vehicles on streets upon which on-street parking is prohibited.

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- Pedestrians' display of merchandise to occupants of motor vehicles on streets upon which on-street parking is prohibited
- Pedestrians offering services to occupants of motor vehicles on streets upon which on-street parking is prohibited

**What is the penalty for those found in violation of this ordinance?**

Any person found in violation of the street solicitation ordinance is guilty of a traffic infraction subject to a fine of up to \$250.

**Who is exempt from this ordinance?**

No individuals or groups are exempt from the street solicitation ordinance. It applies equally to all.

**Does the street solicitation ordinance prohibit non-profit organizations from conducting car washes, bake sales, or similar events?**

No. Organizations may continue to conduct these events on private property. Organizations are not permitted to solicit business on sidewalks or street areas where on-street parking is prohibited.